

## 84<sup>th</sup> District #2 Integrating Committee Meeting Minutes

January 18, 2002 – 8:00 a.m.

Nathanael Greene Lodge  
6394 Wesselman Road  
Cincinnati, OH 45248

Mr. Brayshaw, Chairman of the Integrating Committee, called the meeting to order at 8:10 a.m.

**Board Members Present:** Chairman - William Brayshaw, Mr. Pete Heile, Mr. Dick Huddleston, Mr. Tim Riordan, Mayor Dave Savage, and Mr. Joe Sykes

**Excused Absence:** Mayor Dan Brooks, Mr. Tom Bryan and John Deatruck

**Alternate Members Present:** Hamilton County - Mr. Ted Hubbard; Private Sector - Mr. Dave Wagner; Mr. Fred Schlimm – Green Township (*Voting Alternate for Mr. Tom Bryan*); Mr. Prem Garg – City of Cincinnati (*Voting Alternate for Mr. John Deatruck*)

**Support Staff & Guest Present:** Hamilton County – Mr. Ron Miller and Mr. Joe Cottrill; City of Cincinnati – Ms. Bonnie Phillips; Village of Lockland – Ms. Evonne Kovach; Hamilton County Development Company – Mr. David Main; KMK Consulting – Mr. Chip Gerhardt and Mr. Jim Benedict; Port of Greater Cincinnati Development Authority – Mr. Tim Sharp; Local Initiative Support Corporation – Ms. Renee Mahaffey-Harris; OPWC Representative – Mr. Dave Kern; H.C. Nutting Company – Mr. Ron Ebelhar; and TUI - Mr. Todd Trammell

### **Approval of Minutes...**

*Mayor Savage moved approval of the minutes from the 83<sup>rd</sup> Integrating Committee Board Meeting dated November 16, 2001; seconded by Mr. Sykes and the motion carried.*

### **Brownfield Support Staff Update**

- ◇ David Main noted the Brownfield Support Staff met three times since the last Integrating Committee Meeting to conduct the following business:

December 6, 2001 – Further organizational efforts of the Brownfield Support Staff.

January 7, 2002 – The Brownfield Support Staff received the draft application from the Clean Ohio Council, as well as the selection of the methodology.

January 15, 2002 – The Brownfield Support Staff went over the selection methodology in order to send comments back to the Ohio Department of Development.

The Brownfield Support Staff had some concerns and comments on the selection methodology that was distributed. Overall there were four major component areas to the selection methodology:

- |                          |                             |
|--------------------------|-----------------------------|
| 1. Economic Benefit      | 3. The Match & The Leverage |
| 2. Environmental Benefit | 4. Readiness to Proceed     |

In addition they have three discretionary point areas: 1) Recommendation from this committee; 2) Recommendation from the Ohio Department of Development; and 3) The Clean Ohio Council. The “Draft” Application and timeline was also distributed.

David Main then went through the “Draft” Selection Methodology and Questionnaire. Noting a total of (96) points in the major component areas, and then an additional (50) discretionary points.

- Under economic development are comments dealing with the known end user. They wanted to get clarification of what is meant by the “known end user”. Is this the actual user of the property or is it a private developer.
- As far as the market valuation, in dealing with permits, they were concerned with the use of “permits” as a sign of valuation. To get permits it is pretty far down the line.

- As far as infrastructure usage they were giving points strictly for all existing infrastructure, but there may be a case where you need to upgrade infrastructure. So they asked for clarification of what that meant. Because if they were improving existing infrastructure, perhaps they should not be penalized.
- As far as tax revenues, they were also looking for clarification on the time period. Normally in an economic development projects you are creating jobs that are in a tax base, and it doesn't come the day the project is approved or in the day the project opens. They looked at a two to three year period. They were looking at a time frame and also wanted to see when these taxes were generated. Are they penalized for utilizing the Enterprise Zone Program or Tax Increment Financing Program, which may also be necessary due to the fact that while taxes may be generating, they may also be forgone.

There was also some concern that this was a pretty high estimate if you are looking at a million dollars in tax increase. They used the example of the Hamilton County Development Company's Incubator, where they have invested close to four million dollars in that project in the combination of federal, state and local grants and some of their own cash and have over 200 employees. That project generates a total of probably less than \$200,000 in taxes, and yet has had an impact. So if you are looking at a million dollars in taxes for looking at an increase of local tax base of 10% to get the top seven points, that is quite a project.

- Jobs retained or created there were no comments on that.
- In neighborhood benefits, they asked for clarification of blight. In this category they were concerned with neighborhood spin off and allows for community flexibility; point changed to (3) and (2).
- On environmental benefit the one concern was of the proximity to receptors and they felt that 100' was too short a distance. They also asked that they include parks and recreational facilities. It was felt it should be revised to maybe 300' and include existing facilities, whether they are living or not. There is some discussion about having community centers, but for the time being they are not looking to water it down, but it seemed to make sense that you don't want a day care center or a school. The intent behind the Brownfield's program is that you can have an office building or a factory as opposed to a residence.
- Bonnie Phillips from the City of Cincinnati shared suggestions regarding the exposure potential. The City of Cincinnati submitted some concern that a risk assessment would have to be done and truly evaluate exposure. There were many questions whether that was the intent or are they just looking at numbers. There can be levels of contamination on a site, but they don't impact people because of where they are on the site.

David Main stated in the risk assessment you are raising the bar on the cost. Most of these projects that are going to be seriously considered this year are going to have a Phase I and Phase II, and probably a voluntary action program eligible Phase I and Phase II environmental assessment. If they don't have that, it is almost probably too late to get funding in the time frame.

- As far as the recycling/energy conservation, they were concerned that it may be too early in the process for the applicant to have an energy conservation plan. Then on the other hand, it is basically one point, so it probably will not make or break.
- As far as the orphaned site there were concerns when the program was first developed, that they were not letting any polluters off the hook. It is still the sense that if it is an orphaned site there is not an identifiable responsible party that is able to clean it up.
- The ratio of local participation was a little confusing because there has to be a 25% match to get the Clean Ohio funds. So they are asking for clarification of the 15% on the applicants contribution. The applicant may be a unit of local government, it may be a port authority, and it could be a private entity in

concert with a unit of government. So they were looking for how to clarify the applicant's contribution to the cost.

- The location of property and the benefit to the low to moderate income. This is one of the intents behind this program, but it was felt that the scoring was too high. 40% or greater poverty is quite high and would be a limiting factor. They were looking to reduce the scoring. You are going to have some low to moderate income areas, but the 40% poverty is a pretty high standard.
- As far as the opportunities for low income residents they asked for extra clarification on this point as far as the jobs. You could have someone say that they are committing to low to moderate income jobs, but depending upon the type of users coming in would be an issue. It was felt there should be some point differential.
- As far as readiness to precede it was felt the Clean Ohio Council didn't want to award these grants and then nothing happen for two to three years. The intents are trying to have the permits at least applied for if not received. They are looking for commitments from outside. This is a leverage and not something where they are going to do a total; they are looking for other entities to be involved with this as well.
- In the area of strategic plan in place it was felt that it should have a few more points and it should be part of an overall strategic plan for development or probably redevelopment of an area. It was suggested they put more points in this area.
- In the area of local priorities (Integrating Committee) they requested that they increase the local discretionary points from (10) to (15) points.
- In the area of the statewide consideration (Clean Ohio Council) they requested that they increase the discretionary points from (10) to (15) points.

◇ The following items were openly discussed:

- Mayor Savage asked about jobs retained or created under economic benefit. He shared that his experience is that not all jobs are created equal. Is there any thought as to whether or not points would be differing depending upon the kind of jobs that you mentioned? Manufacturing is probably the highest level of job and certainly retail would be one of the lowest classifications of jobs in terms of net economic impact on the community. Is there any thought about doing that?

David Main stated that one of the issues is they are still looking for what is the benefit to low or moderate income. Sometimes if you could provide more entry-level jobs you will benefit low to moderate income. Something to be considered is the quality of the jobs, the skill levels, the wage rates. If it is manufacturing you have more of a spin off impact than you do if you are putting in retail or fast food. There wasn't much time spent on this.

Chip Gerhardt also noted the tax revenues generated, depending on the types of jobs created, you will pick up higher income taxes that are generated. Also as the staff went around the state and there were (19) focus groups conducted throughout the state, there was almost an equal emphasis on economic benefit as well as environmental benefit. That is why you see the balance on both environmental and economic benefit. It is not heavily weighted on the economic development side only.

- Chip Gerhardt stated that as individuals and as a group, they have been in contact with the staff charged with putting this all together. In conversations they have relayed to us there is no county in the state that is more active in this process than is Hamilton County right now. We have been active with this process from the very beginning. Some were involved as it was a valid issue and then as it was going through the legislative process to make sure that the legislation itself would benefit Hamilton County. As they have drafted the rules, Hamilton County has been fully engaged. In the latest conversations with the

point staff person, the comments that we have submitted to the state have caused them to stop and make some changes to what was originally proposed in terms of the "Selection Methodology". The Clean Ohio Council will meet on Tuesday, January 23, 2002 where it is anticipated that they will adopt the application, the selection methodology, and the other aspects of this so that they can start getting applications out on the street. Then we can bring back to the Integrating Committee the six priorities for Hamilton County.

Chip Gerhardt acknowledged that John McGill noted several comments concerning the proposed "Selection Methodology". For instance the market valuation, they are going to change the way that it is calculated. The permit component of that is off the table. This has been changed from the appraisal value prior to clean up and after. What is seen in the last column of the matrix are the questions that were raised and any response that they had verbally through conversation on January 17, 2002. They received the concerns that the Brownfield Support Staff as a group raised. The City of Cincinnati sent a document also raising a number of issues as well. They have received a lot of information from Hamilton County. The response back has been generally accepting what we raised in terms of concerns.

- David Main shared that we can submit up to six projects. The maximum is \$3 million per project, so that would be \$18 million and there is roughly \$40 million statewide.
- Tim Riordan asked when the Integrating Committee would see something again on this issue. Mr. Main stated the Brownfield Support Staff is planning on meeting again on February 7, 2002. It is hoped they will have the final "Selection Methodology" by that time.

Chip Gerhardt added he was hopeful the Clean Ohio Council would accept everything soon. When approved they will have an application process to work with. It was also explained there are (15) discretionary points that the Integrating Committee can give to any one project. The purpose behind those (15) points is to reward projects, and reward the Integrating Committee for making a tough decision.

When the applications get to Columbus there is some debate about what exactly happens. Do they keep the points that they have, are they objective points scored now, do they start at the highest rated project and go down until all the money is exhausted, or are there other considerations. Is it the top rated project in the state, and if it is, you may have (19) top projects that tie. Those are some of the things that will be discussed on January 23, 2002. They have not fully decided how they are going to determine among the (38) projects which ones get funded. This will probably be a significant debate on January 23, 2002.

One final point, those (15) extra credit points that this body has, we will need to come back to the Integrating Committee with recommendations as to why to give up to (15) points. You can give (15) points to each project.

Bonnie Phillips shared that this Integrating Committee might see some projects of bigger value to the community as a whole that may have scored (2) points less. This would make it project number two instead of project number one. This Integrating Committee could add extra points. Tim Riordan made the comment that you are punishing a project that doesn't get (15) points. Since you can give (15) points to everyone, the only thing you are doing is penalizing and not rewarding.

- Mayor Savage stated that this Integrating Committee is going to have to come to a specific conclusion with respect of, "How do we create our priority list". That is where the points are. How is this Integrating Committee going to rank those? There will need to be some thought against that. Are we going to go on the straight scoring basis, do we want to end up developing our own internal modified system in order to do that, or precisely what do we want to do? Otherwise we will sit here and go back and forth.

Chairman Brayshaw stated that we have the other option of going with the Brownfield Support Staff recommendations, unless we have violent disagreements with them. He further added that he felt the Brownfield Support Staff was very well qualified and they will be making good recommendations. He further stated it probably wouldn't hurt to have the support of the Integrating Committee supporting the recommendations that have already gone up to the state. This would be a stronger position for our area to say that the District #2 Integrating Committee agrees with the Brownfield Support Staff's comments that have already gone forward. Is there any discussion along that line?

Richard Huddleston stated that he didn't know that the board could address it specifically or totally, but the committee as a whole is if you welcome the extent possible politically balanced. There has been some attempt to do that same thing in the Brownfield Support Staff. With the reality of that, is that the same kind of a situation that exists within this support staff today? He is not challenging any of that, but how do we get balanced so that when you come to things like discretionary points that we are as non-political as can be.

Chairman Brayshaw shared that the Hamilton County Development Company is a little bit neutral. The Village of Lockland has had the first major brownfield project in Ohio. Evonne Kovach brings a lot of experience to the table from an actual brownfield project, which is the first and best project in the State of Ohio. The City of Cincinnati has been an active participant as well. So there are small municipalities and the largest municipality countywide and there are two environmental consultants. Several of the Brownfield Support Staff have actually been through environmental remediation.

Richard Huddleston stated the Integrating Committee has invested sixteen years trying to refine this process and have done an outstanding job for the committee as far as District #2 goes. He further agreed with Chairman Brayshaw's recommendation that the committee try to get comfortable with rubber stamping our Brownfield Support Staff's recommendations. Then the question to the Committee is "Are we at that point today?"

Chairman Brayshaw stated that was the reason why he has asked the whole Brownfield Support Staff to come, and if you need to hear anything from them individually as to their background, it would be appropriate at this time.

Chip Gerhardt read the list of the current Brownfield Support Staff member to the Integrating Committee. Chip Gerhardt is from KMK Consulting, Ron Ebelhar is from the H.C. Nutting Company, Warren High is from Woolpert Consultants, Evonne Kovach is from the Village of Lockland, Renee Mahaffey-Harris is from the Local Initiative Support Corporation (LISC), David Main is from the Hamilton County Development Company, Bonnie Phillips is from the City of Cincinnati, and Tim Sharp is from the Port of Greater Cincinnati Development Authority. Will this body change? Probably. Do we have all the right people? Maybe, maybe not. Do we have enough people of the right experience to handle this first round of applications? I think so. It is felt that our system will change as well. We are trying to stay ahead of this thing as much as we can so that we can take advantage of this process. Especially in this first funding round.

It is an opportunity for those communities that are paired and aggressive to get ahead of the pack. If the Integrating Committee has recommendations, please submit them to the Brownfield Support Staff. They will do everything they can to protect the integrity of what District #2 has put together.

Richard Huddleston stated that everyone has done an excellent job at that and he was just trying to follow Chairman Brayshaw's recommendations. The input was appreciated, but the bigger question at this point, we are not going to make it perfect the first round. You have led the charge and are way ahead of the curve as far as the state goes. So how can this committee get comfortable with going ahead, or are we comfortable with going ahead on that basis.

Chairman Brayshaw stated that he had attended a couple of meetings with the Brownfield Support Staff and is more familiar than the rest of the Integrating Committee. It was suggested that each member of the Brownfield Support Staff share their background and projects:

Evonne Kovach – Her original project was Lunken Commerce Park. There are five brownfield projects underway in Lockland currently and are in various stages. Her personal experience goes beyond that which include, international work on Brownfield's in Serbia and Romania. She is currently working on one through Carnegie & Mellon and is volunteering for that in Ambridge, which is a lot of the old U.S. steel plants.

Chip Gerhardt – Currently with KMK Consulting. For five years he was with the Ohio Department of Development, in which he ran the Governor's regional offices locally and then around the State of Ohio, and came into contact with the whole brownfield process as it was developing in the State of Ohio. He worked extensively to lobby on behalf of House Bill No. 3 to get the legislation in a form that would be useful to communities. He has also worked Tim Riordan and Bonnie Phillips from the City of Cincinnati, Evonne Kovach and Renee Mahaffey-Harris on House Bill No. 6, which is the TIF District legislation that allows for environmental remediation. He is more of an economic development person, because so much economic development requires brownfield remediation.

David Main – Has been in the economic development field for the past twenty-six years. The Hamilton County Development Company run a number of programs and is the largest SPA-504 lender in greater Cincinnati. They have made over 500 small business loans of that program and run the Hamilton County Business Center, which is the largest business incubator in the State of Ohio. That became their brownfield site. They learned first hand what it was like to go through new remediation and deal with the voluntary action program first hand and environmental issues on a brownfield site. They also operate the Hamilton County Office of Economic Development, primarily outside the City of Cincinnati, where they are trying to attract and expand existing business and industry. They wear a number of hats ranging from brownfield to business development, whether they are high tech or low tech they primarily deal with business issues within Hamilton County.

Bonnie Phillips - She was on the City of Cincinnati original brownfield team with the green application. The first grant the city received in 1996 was the grant that proposed the port authority as a tool for the whole Hamilton County area to actually to do brownfield work. She also looks at all city properties prior to purchase to look at environmental condition and what the whole liability is for the City of Cincinnati, and also looking at what redevelopment opportunities they have. Being in the City most of the properties that are left are dirty and need to be recycled in some way. Ridgewood Arsenal site was one that was just opened less than a year ago, that was a brownfield that was worked on for about a ten-year period trying to make it from an arsenal to an industrial development site. She has been involved with the whole brownfield team statewide and nationwide since the beginning.

Ron Ebelhar – Is a certified professional in the voluntary action program for a number of years and has worked on project sites from Phase I transaction assessments through super fund remedial design on various projects. He has worked with the Skynard Landfill and Ridgewood Arsenal site and has worked nationally and international on a variety of issues.

Renee Mahaffey-Harris – She has eight years experience in banking and recently joined Local Initiative Support Corporation. LISC is the largest community development organization in the country. She opened the 38<sup>th</sup> city program in Cincinnati in the later part of 2000. Nationally LISC has done significant work with brownfield sites in urban neighborhoods. Her hope is to get involved with the Brownfield Support Staff in bringing some of that expertise to the decisions and applications that they will be reviewing.

Joe Sykes stated that he didn't think anyone was questioning the expertise, the abilities or the integrity of this committee. The comfortable feeling that is needed is that we have proportional representation. The Integrating Committee was founded on proportional representation of SCIP and LTIP funding. One step further we even have to have a super majority instead of a simple majority. As far as the expertise of this committee it was felt it could not be challenged.

Chairman Brayshaw stated the success of the Integrating Committee has been that we have that mix and a very successful sixteen plus years. Have always had an excellent support staff ever since the beginning. He wanted to make sure the Integrating Committee felt the Brownfield Support Staff was also up to that caliber or better. The first year is of learning and finding out how this process works on actual projects. We will learn a lot by working through the process. The Integrating Committee has always had control over the rating process, now we don't have much control here. The state is essentially giving us the process to follow. About the only real opportunity for a lot of the input is, in how we rank, prioritize and use discretionary points. Whether we want to give each one (15) points or whether we want to play games with the discretionary points and pick our first in priority and first in discretionary points to make sure that goes over the top or maybe the first priority by numbers doesn't rank high enough in discretionary points can force another one higher. This will be the procedure they will have to think about.

Mayor Savage stated that he would echo Joe Sykes points about the qualifications and integrity of the Brownfield Support Staff, and have no questions. The question that Chairman Brayshaw brought to the board was whether or not we wanted as an Integrating Committee to endorse their current findings and to reflect that. The only question to that is if there is any downside to doing that. If there is no downside, and no one has any downside, the following motion was presented to the table:

*Mayor Savage moved that the District #2 Integrating Committee endorse the current recommendations of the Brownfield Support Staff to the appropriate state officials; seconded by Mr. Huddleston both for moving along and purposes of discussion.*

*After much discussion, Mayor Savage is recommending additional comments with respect to the points on O & M (Operations/Maintenance) controls and also recommending reconsideration of the degree of penalties of the nature of penalties with respect to those projects, which are under court order or other environmental sanction. Those are the two changes and what we have heard here was the position put forth in the letter from the City of Cincinnati. This is an amendment to the prior motion submitted; seconded by Mr. Huddleston and the motion carried.*

- Mr. Huddleston stated the Integrating Committee owes a great deal of thanks to the Brownfield Support Staff who has put this together in a relatively short time.
- With no further discussion, Chairman Brayshaw will submit a cover letter from the District #2 Integrating Committee voting to approve the recommendations of the Brownfield "Draft" Selection Methodology provided by the Brownfield Support Staff. The following Brownfield Support Staff members will hand deliver this cover letter along with the "Draft" Selection Methodology to the Clean Ohio Council in Columbus on January 23, 2002: Chip Gerhardt, David Main and Bonnie Phillips.

Chairman Brayshaw suggested the Brownfield Support Staff to meet again in order to update the Integrating Committee. The next meeting will take place on February 22, 2002. At that time the Brownfield Support Staff will be able to provide the final results of the "Selection Methodology" along with timeline for the submission of the application. Chairman Brayshaw further added that once all of this has been established, the Brownfield Support Staff should then send a letter out to all of the jurisdictions indicating the established timeline and application process.

- After further discussion, it was requested that the Recording Secretary send the official listing of the Clean Ohio Council Members to the Integrating Committee.
- Evonne Kovach provided a quick update regarding the “Brownfield Workshop” that was held in Lockland on December 13, 2001. A total of (65) were in attendance. John McGill was there to make the presentation of the program, along with Representative Samuel Britton. It was a great success and very useful for the communities in Hamilton County.
- Chip Gerhardt provided more clarification on the (15) discretionary points. He shared that (15) points can obviously change the relative position of a project locally within the priorities. However, once all the six priorities get to Columbus, all discretionary points that were given in a project are taken off. So if you take an (85) and give it (15) for a total of (100) points for your first priority, once it gets to Columbus it becomes (85) points again. It then gets (40) points for being the number one priority. This may change the perspective of awarding the (15) points. It will allow the projects to get the priority ranking points then.
- David Main shared that the final applications and final “Selection Methodology” will be out by the end of January 2002. It was felt the quickest way to get this information out would be for Joe Cottrill to e-mail all of the communities in order to let them know this information will be available through the Clean Ohio Council Fund website. They would then be able to download the application and get started. The intent is for the community to submit the application to Joe Cottrill and he will then submit them to the Brownfield Support Staff. It was felt there would be about (65) applications.

Chairman Brayshaw thanked the Brownfield Support Staff for all their efforts to date.

### NRAC Update

- ◇ Ron Miller provided the NRAC schedule along with the NRAC members and officers elected. Handouts were distributed. He shared that the first meeting was conducted on November 14, 2001. At that time a criteria committee was formed in order to draft the scoring methodology. A publicity committee was then formed in order to make sure that everybody who has interest in these grants knows about them. Then a training committee was formed in order to make sure that when training sessions were conducted there would be graphics and power point presentations available. It was then requested that Joe Cottrill update the Hamilton County Engineer’s website to include information about NRAC and the various steps that were involved within the process.

The second meeting was conducted on December 14, 2001. At that time the council considered all of the recommendations of the committee and a total consensus was given regarding the Scoring Methodology for Grant Applications. Handouts were distributed. It was then submitted to OPWC and they approved it on December 28, 2001. The importance of that date is that we have to wait for (60) days after they do that before we can establish a deadline for applications. This was done about (30) days earlier than they probably even had to.

The next step was to have two training programs. The first one will be at the Techsolve Training Facility on Tuesday, January 29, 2002 from 3:30 p.m. – 5:30 p.m. The second one will be conducted at the Winton Centre on Tuesday, February 5, 2002 from 7:00 p.m. – 9:00 p.m. The information has been e-mailed to all of the political jurisdictions in Hamilton County. Copies of the information have been sent to (15) of the newspapers, including the local and major papers. The NRAC members are also e-mailing the information to all of their membership lists. This should cover all environmental and non-profit organization in Hamilton County.



The application deadline has been established for April 1, 2002. The application can be found on the OPWC website and will be used by all NRAC in the State of Ohio. They intend to finish their review after receipt of the applications. This should be done by May 10, 2002. Then everything needs to be submitted to OPWC by June 1, 2002.

Ron Miller then provided a more detailed overview of the Scoring Methodology. It was noted that our district has \$2.2 million dollars allocated. The NRAC will do what the Integrating Committee does with the SCIP/LTIP projects. After NRAC submits their priority listing and recommendations, OPWC will give their final approval.

Ron Miller also noted that in prior discussions with Bonnie Phillips regarding the need to recognize the potential alignment of Brownfield and Greenfield sites, it was felt this issue could be addressed within the Scoring Methodology under Part IV "Community Planning". Provided the Brownfield site is publicly endorsed within some plan. If the Brownfield site is in a publicly adopted plan then the Greenfield could probably award (3) points for that alignment. Mayor Savage noted Part III "Compliance with State Criteria" item number three: The level of conversation coordination with other Open space, Riparian Corridor, Farmland Protection or Urban Revitalization Projects under the Clean Ohio Fund in this or other Public Works Commission districts. This could also recognize alignment with Brownfield projects.

Chairman Brayshaw also indicated there is currently a house bill pending with regards to the bikeways. Dave Kern stated it would be going to vote next week. Bikeways are currently under the program this week, but may not be next week.

After further discussion, Chairman Brayshaw thanked Ron Miller for the NRAC update. He further noted it was a good idea to continue to have updates from the NRAC. He felt that it was important to keep the Integrating Committee board informed and up to date.

**Old Business...** Nothing to Report

**New Business...**

- ♦ Joe Cottrill announced that the Integrating Support Staff is getting ready next month to gear up for Round 17. The next Small Governments meeting will take place on May 16, 2002.

**Next Meeting Date & Time...**

The next Integrating Committee Meeting will be held on Friday, February 22, 2002 at the Nathanael Greene Lodge, in Green Township at 8:00 a.m. The agenda will consist of the following updates: Brownfield Support Staff and NRAC Committee. By consensus the meeting adjourned at 9:50 a.m.

Respectfully submitted,



Cathy Listermann  
Recording Secretary

CLEAN OHIO CONSERVATION FUND  
Ohio Public Works Commission  
District 2 - Hamilton County  
Natural Resources Assistance Council (NRAC)  
Progress Report  
February 22, 2002

The District 2 NRAC Committee has held two formal meetings. The first meeting resulted in the appointment and establishment of officers, committees, initial responsibilities, deadlines and assignments. The second meeting further refined responsibilities and assignments and included progress reports.

The Scoring Methodology Committee - Chair Eric Russo, Jon Brady, Willie Carden, Jim Garges and Holly Utrata-Halcomb - developed and established a scoring system for projects that were especially important to Hamilton County. The District 2 scoring methodology was approved at the State level.

The Training Committee - Chair Holly Utrata-Halcomb, Willie Carden and Eric Russo, developed a PowerPoint audiovisual training presentation to assist applicants. Two training sessions were presented. The first session was conducted at the Tech Solve facility near Bond Hill on the afternoon of January 29, 2002 with 41 attendees. The second session was conducted at the Winton Centre in Winton Woods in the evening on February 5, 2002 with 35 attendees.

In addition to the audiovisual program, the presenters provided appropriate handouts for applicants, including applications, scoring methodology, terms and definitions, soil sample booklets and the "paper" version of the PowerPoint program. Committee members and Rob White of the OPWC were on hand to answer questions and to provide guidance, whenever possible.

The deadline for applications is April 1, 2002. The third full NRAC Committee meeting is scheduled for April 5, 2002. The Committee plans to carefully review the applications and make site visits during the month of April and the full NRAC Committee is scheduled to meet again on May 10, 2002. The deadline for OPWC to receive the approved applications is June 1, 2002.

Many of the individual members of the NRAC Committee have worked very hard and diligently on the scoring, training and other critical issues related to the Clean Ohio Program. It should be pointed out that this program is a "work in progress" and it has, at times, been frustrating to not only the members of the Committee, but also to our OPWC colleagues in Columbus. The enabling legislation was and continues to be very much "subject to interpretation" by individual legislators, representatives of the OPWC, NRAC members and the potential applicants. A corrections bill was recently passed by the State Legislature, which improved the application process - however, there are many issues and questions that the NRAC may not be able to answer at this point. This first round of applications, review and approval will be a valuable and important learning experience for all parties. The members of the NRAC Committee will continue to work very hard to judge the applications and projects as fairly and wisely as possible under somewhat difficult circumstances this spring.

Report submitted by Vice-Chair  
JON BRADY, Director  
HAMILTON COUNTY PARK DISTRICT

**INTEGRATING COMMITTEE  
BROWNFIELD SUPPORT STAFF  
SUMMARY REPORT**

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**February 22, 2002 Meeting**

**I. Application Timeline**

- Week of March 18, 2002, - Public notice requirements to be fulfilled – Public library filing, signage posted public meeting newspaper notice –last practical date to begin public notice process
- May 10, 2002, - Applications due with Integrating Committee – (impacts review time)
- June 4, 2002, - Deadline for applications to Clean Ohio Council

**II. Selection Methodology**

**Base criteria: (maximum points available)**

- Economic benefit (30)
- Environment improvement (30)
- Match (10)
- Benefit to low-income community (10)
- Project viability (15)
- Combination of uses (5)
- Loans (2)

Total (102)

- Discretionary points (15)
- Priority points (40-25-15-10-5-0)

**III. Training for Integrating Committee – and support staff**

- Mid to late March

**IV. Discretionary Points (15) – How to allocate**

- A. “Essay” – Why applicants should be awarded points
- B. Categorical distribution to assign points

**V. Next Support Staff Meeting –**

- Monday, April 8, 2002, 8:00 a.m.

**CLEAN OHIO REVITALIZATION FUND  
AWARDS TIMELINE**

<u>DATE</u>	<u>MILESTONE</u>
February 5, 2002	Application, policies, and selection methodology available online at: <a href="http://www.odod.state.oh.us/ud/CleanOhioFund.htm">http://www.odod.state.oh.us/ud/CleanOhioFund.htm</a>  NOTE: Between February 5, 2002 and May 10, 2002 there must be a minimum 45 day public notice period after application filing followed by the conduct of the required public meeting.
May 10, 2002	Latest date to submit application and required additional materials to the Ohio Public Works Commission (OPWC) district integrating committee in which a majority of the brownfield resides.
June 4, 2002	Latest date for the Clean Ohio Council to receive no more than six applications, along with other required materials and score sheets, from each OPWC district.
June 13, 2002	Latest date for the Ohio Department of Development, on behalf of the Clean Ohio Council, to perform the required completeness check and report results to each Administrative Applicant.
June 20, 2002	Latest date for the Ohio Department of Development to receive corrections for noted completeness deficiencies from an Administrative Applicant.
July 1, 2002	Latest date for the Clean Ohio Council to receive application summaries, scoring validation, and other input from the Ohio Department of Development and the Ohio Environmental Protection Agency.
July 15, 2002	Latest date for the Clean Ohio Council to make funding decisions.
August 2002	Controlling Board approval.
September 2002	Grant and/or Loan Agreements signed with the Clean Ohio Council.

## Clean Ohio Revitalization Fund Selection Methodology

Measure		Definition	Points: Choose one number in each box unless noted		Rationale
Economic Benefit			Maximum 30 points		
Known end use or user	A documented written commitment for an end user as opposed to a site being cleaned up for marketing to prospective users.		End user identified and written commitment made	5	A site for which an end use is already known is more likely to produce benefits in the near term.
			Letter of intent from end user	3	
			Marketing plan for the property includes assumptions and timelines	2	
Valuation	A return on the Clean Ohio Revitalization Fund's investment through an increased value of the property. (The prior award value is the current appraised value for the property reported by the County Auditor)		The appraisal value is at least 2.00 times greater than the value of property prior to award	5	Increased property value provides a part of the measurement of the potential return on investment made by the Clean Ohio Revitalization Fund.
			Appraisal value is 1.60-1.99 times greater than property prior to award	3	
			Appraisal value is 1.25-1.59 times the value of the property prior to award	2	
			Appraisal value is less than 1.25 times the value of the property prior to award	1	
Infrastructure usage	The degree to which the project will make use of currently in use infrastructure including that which may be improved (water and sewer lines, roads, storm sewers, electric and gas utilities).		All infrastructure is in place to serve the property (0% new infrastructure)	6	Encourages redevelopment of older communities by favoring the use of existing infrastructure; recognizes that some infrastructure may need repair or updating.
			Limited new infrastructure needed to serve the property (between 1 – 20% of total infrastructure value)	4	
			21% or greater of the total infrastructure needed will be new	1	

## Clean Ohio Revitalization Fund Selection Methodology

Tax revenues	The sum of annual local taxes estimated to be generated by the project: property and income.	<p>\$100,000 or greater</p> <p>\$60,000 – \$99,999</p> <p>\$15,000 - \$59,999</p> <p>\$5,000 – \$14,999</p>	<p>4</p> <p>3</p> <p>2</p> <p>1</p>	Encourages projects that generate taxes which in turn support governments. Structured to provide opportunity for projects to be competitive regardless of the size of the community.
Jobs retained or created	Estimated permanent jobs associated with the end-use of the property, supported by letter of commitment.	<p>100 or more total; or job growth of four fold or more (300% plus)</p> <p>50-99; or job growth of three to four fold (200 - 299%)</p> <p>10-49; or job growth of two to three fold (100 - 199%)</p>	<p>5</p> <p>3</p> <p>1</p>	<p>Job retention/creation is a key goal for the Ohio Department of Development, and a recognized element of the State's economic well-being.</p>
Neighborhood benefit	The project results in jobs being created which will help increase the wealth of the community.	<p>The project will create jobs paying wages at least 1.50 times the average wage paid in the county or census tract.</p> <p>The project will create jobs paying wages between 1.25 times to 1.49 times the average wage paid in the county or census tract.</p> <p>The project has the potential to create new jobs.</p>	<p>3</p> <p>2</p> <p>1</p>	<p>Encourages investment in projects increasing the wealth of citizens leading to economic benefit on a wider basis.</p>
Elimination of health and safety risk	The project will remove structures or materials posing a risk to the area.	Evidence the property currently poses a health and safety risk (description, documentation, photographs)	2	Clean Ohio dollars will assist in direct removal of structures and materials furthering the physical decline of an area.

## Clean Ohio Revitalization Fund Selection Methodology

Measure	Definition	Points		Rationale
<b>Environmental Improvement</b>		<b>Maximum 30 points</b>		
Absence of engineering controls	Does the remedy rely on an engineering control to maintain protectiveness, or is it protective without such measures?	Engineering control not needed	5	Creates a preference for removing contamination rather than managing it in place.
		Engineering control needed	0	
Proximity to receptors	Is the property within the following ranges of distance from homes, schools/daycare, or drinking water sources.	0-300 ft	10	Designed to stimulate cleanup of contaminants near homes and schools, and to protect drinking water sources.
		301 to 500 ft	8	
		501 to 2000 ft	4	
Exposure potential	Cleaning up the most contaminated sites will reduce the likelihood people can be exposed through direct contact with soils, vapors, or water.	Potential exposure above VAP industrial standards	5	Provides incentive to clean up the most contaminated sites. (The presence of contamination on a site alone does not mean it is harmful. Risk comes from the degree to which people come in contact with it).
		Potential exposure above VAP residential standards, but below industrial standards	3	
Recycling	The extent to which existing structures are re-used.	Re-use of structure	2	Re-using existing structures or building materials on the property prevents the creation of demolition waste.

## Clean Ohio Revitalization Fund Selection Methodology

Energy conservation	The extent to which the improvements or proposed improvements at the property use energy-efficient technologies.	Energy efficiency incorporated	2	The use of energy efficient lighting, heating/air systems, waste systems, etc. conserves natural resources.
Orphaned site	Based on current information, there are no viable legally responsible parties still in existence.	No responsible parties known	2	Creates a preference for cleaning up orphaned sites, those for which there is no responsible party.
Vacant Property	The property is not currently occupied or used.	Abandoned or vacant property	2	Creates a preference for abandoned or vacant sites that detract from the neighborhood's appearance and quality of life.
Sensitive ecological receptors	The project will improve or protect sensitive ecological receptors.	Sensitive ecological area within 500 feet of the property.	2	Stimulates cleanup of contaminants near ecological areas.



## Clean Ohio Revitalization Fund Selection Methodology

Measure	Definition	Points		Rationale
<b>Environmental Improvement</b>		<u>Choose all that apply</u>		
Regulatory/enforcement obligation	Contamination should have been prevented or remediated under the terms of a license or permit, or was required by an enforcement order. This measure assumes that the applicant is eligible for Clean Ohio funding, that is, that applicant did not cause or contribute to the contamination.  (Negative points in this category cannot result in a total environmental improvement score of less than 0 points).	Licensed solid waste disposal facility	-5	Creates a disincentive to funding cleanup of contamination that occurred due to violations of environmental statutes.
		Solid waste disposal facilities in post closure care	-2	
		Permitted hazardous waste treatment, storage, disposal facility	-5	
		National Priority List (NPL) site	-5	
		Subject of a court order or enforcement order from OEPA or USEPA	-5	
Match		Maximum 10 points		
Percentage participation	Number of dollars committed in writing with terms and conditions set for the funders participation. Percentage is based on the total project cost.	75% or greater match participation	4	Clean Ohio Funds will be maximized if used to leverage additional investment. While a 25% match is required in statute, a larger match will maximize the Clean Ohio Revitalization Fund.
		50 – 74 % match participation	3	
		25% to 49% match participation	2	
Number of funders	Number of funders (public, private, non-profit) contributing at least 5% of total project cost.	4 or more 2-3 funders	3	Multiple funders are an indication of broad support for the project.
			2	
Percent of applicant participation	The percentage of the applicant(s) dollar contribution to total project cost.	15% or greater 10-14% 1 – 9%	3	Demonstrates applicant(s) commitment, often key to the ultimate success.
			2	
			1	

## Clean Ohio Revitalization Fund Selection Methodology

Benefit to low income		Maximum 10 points		
Location of Property	The poverty level in the census tract(s) in which the property is located.	40% or greater poverty	6	Redevelopment of brownfield properties can serve as an economic stimulus in low - income areas.
		30-39% greater poverty	4	
		20-29%	3	
		15-19%	2	
		Less than 15%	1	
Opportunities for low income residents	Written commitment to provide employment, housing or social services to low income households as a result of improvements to the property.	51% or more of the job, housing opportunities or social services provided by identified organizations will be offered to low-income households as a result of improvements to the property	2	Economic and community benefit is enhanced if the property improvements leads to job creation, housing or social services for area residents.
		Opportunities for low-income households without commitment(s) to provide specific services or goods as a result of improvements to the property	1	
Minority community participation	Opportunity to reach minority communities containing brownfields.	40% or greater minority population in census tract(s) in which the property is located	2	Redevelopment of brownfields in minority communities may help to sustain some neighborhoods at risk.
		10-39% minority population in the census tract(s) in which the property is located	1	

## Clean Ohio Revitalization Fund Selection Methodology

Measure	Definition	Points		Rationale
<b>Project Viability</b>		<b>Maximum 15 points</b>		<b>The project can proceed in a timely manner upon receipt of Clean Ohio Funding.</b>
Permit Status	Permits required to implement the project (construction, demolition, building, 404, etc.), and or zoning approvals,	All necessary permits and approvals have been received	5	A preference is created for projects that are ready to proceed to remediation and construction. Projects that are not prepared to move forward can be considered in future grant rounds.
		All permits or approvals have been applied for	3	
		Plans and necessary documents are ready to submit	1	
Applicant – community support	Evidence of administrative or other resources from the applicant and community support for the project.	Project manager assigned (resume) & letters of support with allocations of resource(s)	5	Project will receive community oversight and possesses wide support.
		Project manager assigned (resume) – letters of support without resources	3	
		No project manager– letters of support with no resources	1	
Brownfield Experience	Community experience in brownfield development.	Applicant and/or project manager successfully completed other brownfield projects	2	Applicant is more likely to be able to complete a project with past knowledge of the process.
Strategic plan in place	The project is included in a strategic plan for development in the area.	A community strategic or economic development plan exists which includes the property requesting assistance and the proposed project conforms to the plan.	3	Experience in other brownfield programs shows a higher likelihood of success for projects that are part of a planned development effort.
<b>Combination of Uses</b>		<b>Maximum 5 points</b>		
Combination of Uses	Project is a combination of purposes or includes greenspace in its design.	The project plans include a combination of residential use, commercial use, industrial use or greenspace; or incorporates projects funded by the Clean Ohio Conservation Fund	5	Encourages development of multi-purpose projects and enhances Ohio's quality of life.

## Clean Ohio Revitalization Fund Selection Methodology

Loans		Maximum 2 points		
Loans	Applicant requests all or a portion of its assistance in the form a loan.	More than 30% of the Clean Ohio Revitalization Fund request is in the form of a loan.  Between 15-30% of the Clean Ohio Revitalization Fund request is in the form of a loan.	2  1	Incentive for creating additional dollars for further brownfield efforts.
District and Council Considerations				
District Considerations (Integrating Committees only)	District Integrating Committees can award discretionary points per project to address district considerations	District points	15	District Integrating Committees have district perspective.
District Priority factor (Clean Ohio Council only)	Each Integrating Committee can submit no more than six projects in priority order.	Priority #1 Priority #2 Priority #3 Priority #4 Priority #5 Priority #6	40 25 15 10 5 0	Priority points assigned to a project based upon the ranking it receives from the District Integrating Committee.
Statewide Considerations (Clean Ohio Council only)	The Clean Ohio Council can award discretionary points per project to address statewide considerations.	Clean Ohio Council points	25	The Clean Ohio Council has a statewide perspective.

## **Clean Ohio Fund Revitalization Policies**

### **Clean Ohio Revitalization Fund Policies**

#### **Section 1: Eligible applicants**

- 1.01 Eligible applicants are: townships, municipal corporations, counties, port authorities, and conservancy districts. Eligible applicants may jointly apply for the same project.
- 1.02 Non-profit and for-profit entities, park districts, and similar park authorities are eligible applicants if they have entered into an agreement with an applicant identified in Policy 1.01.
- 1.03 Funds will be disbursed by the Clean Ohio Council only to townships, municipal corporations, counties, port authorities, and conservancy districts.
- 1.04 Entities which caused or contributed to the contamination at the brownfield are not eligible applicants, nor may they enter into an agreement with a third party to apply on their behalf.

#### **Section 2: Eligible Sites**

- 2.01 Eligible sites are brownfields as defined in Ohio Revised Code Section 122.65(D): "Brownfield" means an abandoned, idled, or under-used industrial or commercial property where expansion or redevelopment is complicated by known or potential releases of hazardous substances or petroleum."
- 2.02 The project may contain more than one parcel, providing that parcels are contiguous.

#### **Section 3: Eligible costs**

- 3.01 Activities eligible to be funded with Clean Ohio Revitalization Fund money are those defined in Ohio Revised Code (O.R.C.) Section 122.65(F): "Cleanup or remediation" means any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield. 'Cleanup or remediation' includes the acquisition of a brownfield, demolition performed at a brownfield, and the installation or upgrade of the minimum amount of infrastructure that is necessary to make a brownfield operational for economic development activity."
- 3.02 Tire removal and disposal are not eligible costs.

## **Clean Ohio Fund Revitalization Policies**

- 3.03 Removal of underground storage tanks and remediation of petroleum leaked from the tank are not eligible costs.
- 3.04 Removal of solid wastes is not an eligible cost, except to the extent that the solid waste is co-mingled with hazardous substances or petroleum.
- 3.05 The construction of new facilities on the site is not an eligible expense, except for facilities necessary for environmental remediation (i.e. monitoring wells, engineering controls, etc.)
- 3.06 Containment, removal, and disposal of friable asbestos are eligible expenses.
- 3.07 The cost of installing new infrastructure or upgrading or replacing existing infrastructure at the brownfield is an eligible expense; preference will be given to applicants requesting 10% of Clean Ohio Revitalization Fund dollars or less for this activity. For purposes of this policy, "infrastructure" means water and sewer, roads, storm sewers, and electrical and gas utilities.

### **Section 4: Application contents**

- 4.01 When the application is filed at the library, the applicant shall include a statement from Ohio Environmental Protection Agency (Ohio EPA) indicating what regulatory program(s) apply to the site. For the first round of applications, this statement may be obtained after the application is filed at the library, but before the public meeting. Applicants are encouraged to obtain this statement from Ohio EPA before beginning site characterization, as different programs have differing requirements for site assessment.
- 4.02 If the applicant does not hold title to the property, the application shall include a demonstration that the applicant has legal access to the property for purposes of completing the project.
- 4.03 The application must contain a certified resolution from the board of township trustees or an ordinance from the legislative authority of the municipal corporation approving the application. The resolution/ordinance must contain, at a minimum, the location and address of the property and a description of the proposed use of the property at the conclusion of the project.
- 4.04 For properties which are subject to ORC Chapter 3746, the Voluntary Action Program (VAP) and applicable rules, the application must include a Phase 1 assessment report for the property. The application must also include a Phase 2 assessment report performed under the rules of the VAP that sufficiently characterizes the contamination on the property to support the planned remedy. Assessments that fail to meet the requirements of the applicable program will cause the project to be disqualified (see policy 4.01).

## Clean Ohio Fund Revitalization Policies

- 4.05 For property to which ORC Chapter 3734 and rules adopted under ORC section 3734.12 apply (hazardous waste and solid waste), the application must include an assessment of the contamination at the property sufficient to support the corrective action or closure plan that meets the applicable rules. The assessment must have Ohio EPA approval prior to its implementation. Assessments that fail to meet the requirements of the applicable program will cause the project to be disqualified (see policy 4.01).

### Section 5: Application process

- 5.01 The Ohio Department of Development (ODOD), on behalf of the Clean Ohio Council (Council), will establish deadlines for each funding round, including the date by which applications must be received by the District Integrating Committees, and the date by which prioritized applications must be received by the Council.
- 5.02 No later than the day on which the application is placed in the local library, the applicant shall send two copies to the Ohio Department of Development, Office of Urban Development, 77 South High St., 26<sup>th</sup> floor, Columbus, Ohio, 43215. Applicants are encouraged to submit one of the two copies in electronic format.
- 5.03 ODOD will perform a preliminary completeness review of the application, and advise the applicant prior to the public meeting if any required elements are missing from the application. The applicant shall indicate at the public meeting whether any information has been added to the application since it was placed at the library.
- 5.04 Following the public meeting, the applicant shall advise ODOD of any changes that have been made to the application since copies were provided to ODOD.
- 5.05 Recipients of Clean Ohio Revitalization Funds may not use those funds for indirect and/or administrative costs, which include but are not limited to: application preparation, cost to comply with public participation requirements, legal fees related to the application and/or project implementation, and salaries and benefits of individuals responsible for ensuring compliance with applicable local, state, and federal laws rules and policies governing the project and/or grant agreement. The cost of employing a Certified Professional is, however, an eligible expense.
- 5.06 The District Integrating Committee or if so authorized its executive committee shall score and prioritize its applications using criteria established by the Clean Ohio Council and in accordance with the consultation requirements in Ohio Revised Code Section 122.652 (B), "In prioritizing and choosing applications under this division, an integrating committee or, if required under division (C) of this section, the executive committee of the integrating committee shall consult with local and regional economic development agencies or resources, community

## **Clean Ohio Fund Revitalization Policies**

development agencies or organizations, local business organizations, and other appropriate entities located or operating in the geographic jurisdiction of the integrating committee."

- 5.07 District Integrating Committees, or if so authorized their executive committees, shall forward to the Clean Ohio Council no more than six applications, in priority order, and shall submit with these applications a copy of the minutes of the meeting at which the priorities were assigned, and a copy of the scoring sheets for all applications received. ODOD will advise District Integrating Committees if items required to be submitted by the Integrating Committee are missing, or if scores have been incorrectly calculated.
- 5.08 After receipt of the above, ODOD shall review the applications for completeness, and provide applicants an opportunity to supply missing information.
- 5.09 As administrative support to the Clean Ohio Council, ODOD and Ohio EPA will validate and complete scoring of the applications using the criteria approved by the Clean Ohio Council. The results along with the application summaries, will be provided to Council members no later than 15 calendar days prior to the Council meeting at which funding decisions are to be made. Supporting documentation (complete applications, copies of public notice, minutes of public meetings and Integrating Committee meetings, property access documents, affidavits, etc.) will be available to Council members upon request.
- 5.10 The Clean Ohio Council will assign points based on the scoring methodology approved by the Council
- 5.11 All awards approved by the Clean Ohio Council are contingent upon the approval of the State Controlling Board.
- 5.12 Projects must be completed within 30 months of the date that the contract is issued by the Clean Ohio Council, unless an extension is granted by the Clean Ohio Council.

### **Section 6: Matching funds**

- 6.01 Total project costs are all dollars expended (or to be expended) at the site for eligible activities as defined by ORC 122.658 and other costs identified as match by the Clean Ohio Revitalization Fund Policies.
- 6.02 Applicants must provide a match of 25% of total project costs. Acceptable sources of matching funds include: local government funds, state government funds from programs other than the Clean Ohio Fund, federal government funds, and investment by for-profit or non-profit entities.



## **Clean Ohio Fund Revitalization Policies**

- 6.03 Applicants may apply the cost of premiums for environmental insurance to their required match.
- 6.04 Applicants may apply the cost of clearance activities that are not eligible for Clean Ohio funding to their required match (see policy 6.01.) Site preparation activities may not be counted toward the required match.
- 6.05 If labor and materials were or will be contributed by the applicant and the applicant will count the reasonable value of such as part of its matching share, then such contributions shall be supported by written documentation. Such documentation shall be in the form of invoices for materials, time sheets for employees, or equivalent documentation of costs claimed or to be claimed.

### **Section 7: Public Participation**

- 7.01 No later than 45 days prior to the public meeting, the applicant shall place the application in a public library, place a notice of the public meeting in a newspaper of general circulation in the county where the brownfield is located, and post a sign at the property.
- 7.02 The application shall be placed in the public library nearest to the brownfield.
- 7.03 The notice shall be placed in a newspaper which circulates in the community where the majority of the brownfield is located. The notice may appear as either a classified legal notice or as display advertising.
- 7.04 The notice shall include, at a minimum: the date, time and location of the public meeting; the location of the public library where the application is available for public review; and the intent of the applicant to apply for Clean Ohio Revitalization Funds.
- 7.05 The sign shall not be less than four feet by four feet unless prohibited by local code, in which case the sign must be the maximum size allowed by local code.
- 7.06 The sign shall include the date, time and location of the public meeting; the location of the public library where the application is available for public review; and the intent of the applicant to apply for Clean Ohio Revitalization Funds.
- 7.07 Applicants shall conduct the public meeting so as to allow for questions from the public and for public comment.
- 7.08 Applicants shall address at the public meeting any written comments received during the 45 day public comment period.

## **Clean Ohio Fund Revitalization Policies**

- 7.09 Applicants shall take minutes of the meeting, which accurately reflect the number of individuals in attendance and the comments, questions, debate and discussion which occur at the meeting.
- 7.10 Applicants must prepare a responsiveness summary addressing comments made during the public comment period. The responsiveness summary must summarize related comments and demonstrate how the comments were integrated into the decision making process or explain why the comment(s) was not included.
- 7.11 The following documentation shall be included with the application when it is submitted to the District Integrating Committee: a receipt from the public library for the application, proof and copy of newspaper publication of the notice, a photograph of the sign posted at the property, a copy of public comments received during the 45 day comment period, the responsiveness summary and minutes of the public meeting.

### **Section 8: Financing**

- 8.01 The Clean Ohio Council may award up to \$40 million in grants or loans from the Clean Ohio Revitalization Fund in any calendar year. However, if the full allocation available is not awarded, the balance may be carried forward to the next calendar year and added to that year's \$40 million allocation.
- 8.02 The Clean Ohio Council may award not more than 75% of the estimated total cost of the project to the applicant in the form of a grant and/or loan. If at the conclusion of the project, financial accounting indicates that the actual cost is less than the estimated, the applicant shall refund to the Clean Ohio Revitalization Fund the amount necessary to maintain funding percentages in the Agreement.
- 8.03 The maximum grant or loan to any one project shall not exceed \$3 million.
- 8.04 Of the \$40 million available in a calendar year, no more than \$7.5 million may be awarded as loans.

# Clean Ohio Revitalization Fund

## Applicable Regulatory Program Statement Request Form

**Applications for Clean Ohio Revitalization Fund grants or loans must include Ohio EPA statement indicating what regulatory programs apply to the applicant property. See Clean Ohio Council Policy 4.01. Therefore, this Applicable Regulatory Program Statement Request Form must be completed by the applicant and submitted to Ohio EPA.**

**Applicants should carefully review Sections 122.65 - 122.659 of the Ohio Revised Code and the Clean Ohio Revitalization Fund policies and selection criteria ([www.odod.state.oh.us](http://www.odod.state.oh.us)) in order to be familiar with the minimum requirements for the Clean Ohio Revitalization Fund program before submitting the attached Form to Ohio EPA.**

### SITE INFORMATION

County: \_\_\_\_\_  
Site/Property Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_

Clean Ohio Revitalization Fund - Applicable Regulatory Program Statement Request Form - January 2002  
\*\*\*Request form must be submitted to Ohio EPA prior to or concurrently with application filing  
in library\*\*\*

**PREPARER INFORMATION**

Organization Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Contact Person(s): \_\_\_\_\_  
Title: \_\_\_\_\_  
e-mail: \_\_\_\_\_

**PRELIMINARY QUESTIONS**

For which Clean Ohio Fund round are you applying?

First Round starts February, 2002: \_\_\_\_\_

Second Round starts Fall, 2002: \_\_\_\_\_

Is the property that is the subject of your application a brownfield, as defined in Ohio Revised Code Section 122.65 and Clean Ohio Council Policy 2.01? \_\_\_\_\_

Do you have evidence of a release or threatened release of hazardous substances or petroleum at the property that is the subject of your application? \_\_\_\_\_

If the release was limited to petroleum, was the release from an underground storage tank regulated under Ohio Revised Code Chapter 3737? \_\_\_\_\_

Clean Ohio Revitalization Fund - Applicable Regulatory Program Statement Request Form - January 2002  
 \*\*\*Request form must be submitted to Ohio EPA prior to or concurrently with application filing  
 in library\*\*\*

Cleanup Program	Required Information	Yes or No (indicate which)	Provide response below. Please reference the location [including document name, section and page number(s)] where this information or evaluation is located and also answer any specific questions as indicated.
Solid Waste Closure	1. Solid Waste		<u>See OAC 3745-300-02(C)(7) re: VAP eligibility</u>
	1.a. Was A solid waste@ as defined in ORC Chapter 3734 and rules adopted thereunder, disposed of on the property after 1968?	Yes: ____ No: ____	
	<b>Note:</b> Properties which are subject to solid waste closure and post-closure activities under ORC Chapter 3734 and the rules adopted thereunder, are not eligible for the VAP, unless all solid waste closure and post-closure obligations are satisfied, and Ohio EPA receives documentation of completion of those requirements.		
	1.b. If YES to 1.a.), was disposal subject to closure pursuant to ORC chapter 3734?	Yes: ____ No: ____	
	1.c. If YES to 1.b.), was closure completed in accordance with applicable regulations?	Yes: ____ No: ____	
	1.d. If YES to 1.c.), provide the date closure was completed and the location or copy of closure approval or applicable documentation.		Date: Document name: Section: Page Number(s):
	1.e. If YES to 1.c.), have all post-closure obligations been met at the closed disposal facility?	Yes: ____ No: ____	

Clean Ohio Revitalization Fund - Applicable Regulatory Program Statement Request Form - January 2002  
 \*\*\*Request form must be submitted to Ohio EPA prior to or concurrently with application filing in library\*\*\*

Cleanup Program	Required Information	Yes or No (Indicate which)	Provide response below. Please reference the location (including document name, section and page number(s)) where this information or evaluation is located and also answer any specific questions as indicated.
	1.f. If YES to 1.e.), provide the location or copy of post-closure documentation, if available.		Document name: Section: Page Number(s):
	1.g. If NO to 1.c.) and/or 1.e.), explain the current status and schedule for completion of closure or post-closure.		
	1.h. Is the waste material at the property limited to foundry sand, fly ash, bottom ash, slag, and/or construction and demolition debris?	Yes: ____ No: ____	
Hazardous Waste Closure	1.i. If YES to 1.h., provide the location or copy of documentation that the waste material is not solid waste, as defined by ORC § 3734.01.		Document name: Section: Page Number(s):
	2. Hazardous Wastes  2.a. Did treatment, storage, or disposal of hazardous wastes, as defined in ORC Chapter 3734 and the rules adopted thereunder, occur at the property on or after November 19, 1980?	Yes: ____ No: ____	See OAC 3745-300-02(C)(7) re: VAP eligibility
<b>Note:</b> Properties which are subject to hazardous waste closure and post-closure activities under ORC Chapter 3734, and the rules adopted thereunder, are not eligible for the VAP, unless all hazardous waste closure and post-closure obligations are satisfied, and Ohio EPA receives documentation of completion of those requirements.			

Clean Ohio Revitalization Fund - Applicable Regulatory Program Statement Request Form - January 2002  
 \*\*\*Request form must be submitted to Ohio EPA prior to or concurrently with application filing  
 in library\*\*\*

Cleanup Program	Required Information	Yes or No (indicate which)	Provide response below. Please reference the location (including document name, section and page number(s)) where this information or evaluation is located and also answer any specific questions as indicated.
	2.b. Have soils or other environmental media been removed from the area of contamination and placed in other locations on the property?	Yes: ____ No: ____	
	2.c. If YES to 2.b.), are the soils characteristic or do they meet the listing criteria as Hazardous Wastes as defined in ORC Chapter 3734 and the rules adopted thereunder?	Yes: ____ No: ____	
	2.d. If YES to 2.a.) and/or 2.c.), was closure of the hazardous waste unit(s) certified as completed at the property, for which Ohio EPA has issued approval?	Yes: ____ No: ____	
	2.e. If YES to 2.d.), provide date of closure approval.		Date:
	2.f. If NO to 2.d.), provide an explanation and documentation of the property's VAP eligibility, if applicable.		Document name: Section: Page Number(s):
	2.g. Has an operation at the property ever generated hazardous waste in quantities that indicate Large Quantity Generator status under RCRA pursuant to OAC Chapter 3745-52?	Yes: ____ No: ____	

Clean Ohio Revitalization Fund - Applicable Regulatory Program Statement Request Form - January 2002  
 \*\*\*Request form must be submitted to Ohio EPA prior to or concurrently with application filing  
 in library\*\*\*

Cleanup Program	Required Information	Yes or No (indicate which)	Provide response below. Please reference the location (including document name, section and page number(s)) where this information or evaluation is located and also answer any specific questions as indicated.
	<p>2.h. If YES to 2.g.), has generator closure been conducted and self-certified in accordance with OAC Chapter 3745-52?</p> <p>2.i. If YES to 2.h.), provide the location or copy of generator self-certification.</p>	<p>Yes: ____</p> <p>No: ____</p>	
			<p>Document name:</p> <p>Section:</p> <p>Page Number(s):</p>
RCRA Corrective Action	<p>2.j. If NO to 2.h.), provide an explanation and documentation of the property's VAP eligibility, if applicable.</p> <p>3. RCRA Permit: Corrective Action</p>		<p>Document name:</p> <p>Section:</p> <p>Page Number(s):</p>
	<p>3.a. Is the property subject to any state or federal obligations to perform corrective action pursuant to a permit issued under RCRA or ORC Chapter 3734, and rules adopted thereunder?</p>	<p>Yes: ____</p> <p>No: ____</p>	<p><u>See OAC 3745-300-02(C)(4) re: VAP eligibility</u></p>
	<p><b>Note:</b> Properties which are subject to corrective action requirements pursuant to a federal or state permit issued under RCRA, as amended and the regulations adopted thereunder, and ORC Chapter 3734 and the rules adopted thereunder, are not eligible for the VAP, unless all corrective action obligations are satisfied, and Ohio EPA receives documentation of completion of those requirements.</p>		
	<p>3.b. If YES to 3.a.), has all work under the permit been completed satisfactorily and the permit been terminated?</p>	<p>Yes: ____</p> <p>No: ____</p>	



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Cleanup Program	Required Information	Yes or No (Indicate which)	Provide response below. Please reference the location [including document name, section and page number(s)] where this information or evaluation is located and also answer any specific questions as indicated.
	3.c. If YES to 3.b), provide date of termination letter and location or copy of termination letter.		Date: Document name: Section: Page Number(s):
<b>Federal Enforcement</b>	4. Federal Enforcement		<u>See OAC 3745-300-02(C)(6) re: VAP eligibility</u>
	4.a. Has the property, or any portion thereof, ever been the subject of a federal enforcement action which required any site assessment, removal, or remedial activities, pursuant to any federal laws and regulations?	Yes: ____ No: ____	
	<b>Note:</b> Properties which are subject to a federal enforcement action, including but not limited to administrative or judicial orders, injunctions, and consent decrees, are not eligible for the VAP, unless all obligations of the federal enforcement action are satisfied, and Ohio EPA receives documentation of completion of those requirements.		
	4.b. IF YES to 4.a.), has all work under the federal enforcement action been completed satisfactorily and the enforcement action terminated?	Yes: ____ No: ____	Document name: Section: Page Number(s):
	4.c. If YES to 4.b.), provide the date of the termination document and the location or copy of the termination document.		Date: Document name: Section: Page Number(s):

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Cleanup Program	Required Information	Yes or No (indicate which)	Provide response below. Please reference the location [including document name, section and page number(s)] where this information or evaluation is located and also answer any specific questions as indicated.
	4.d. If NO to 4.b.), provide an explanation and documentation of the property's VAP eligibility, if applicable.		Document name: Section: Page Number(s):
State Enforcement	5. State Enforcement Letter		See OAC 3745-300-02(C)(10) re: VAP eligibility
	5.a. Is the property, or a portion thereof, subject to an enforcement letter as defined in OAC 3745-300-02 relating to a release or threatened release of hazardous substances or petroleum from or at the property?	Yes: ____ No: ____	
	Note: Properties subject to an enforcement letter issued by the Director relating to a release or threatened release of hazardous substances or petroleum are not eligible for the VAP, unless evidence of entry into and participation in the VAP can be demonstrated, as provided in OAC 3745-300-02(D), or unless the investigation and/or remediation obligations of the enforcement action have been completed to Ohio EPA's satisfaction and the enforcement action has been terminated.		
	5.b. If YES to 5.a.), provide the date of the enforcement letter.		Date:
	5.c. If YES to 5.a.), has all work under the state enforcement action been completed satisfactorily and the enforcement action been terminated?	Yes: ____ No: ____	
	5.d. If YES to 5.c.), provide the date of termination of the enforcement action and the location or copy of the termination document.		Date: Document name: Section: Page Number(s):
	5.e. If NO to 5.c.), has a demonstration of sufficient evidence been submitted to the Director pursuant to OAC 3745-300-02(D)?	Yes: ____ No: ____	
	5.f. If YES to 5.e.), provide location or copy of the sufficient evidence demonstration.		Document name: Section: Page Number(s):

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**Submit entire package to:**

**Tiffani Robinson, Manager  
Brownfields and Site Assessment Program  
Division of Emergency & Remedial Response  
Lazarus Government Center  
P.O. Box 1049  
122 South Front Street  
Columbus, Ohio 43216-1049  
Phone: (614) 644-2924**

# **84<sup>th</sup> District #2 Integrating Committee Meeting**

**Nathanael Greene Lodge  
(First Floor Conference Room)  
6394 Wesselman Road  
Cincinnati, OH 45248**

**January 18, 2002 – 8:00 a.m.**

## **AGENDA**

- 1.) Meeting Called to Order**
- 2.) Introductions (Members & Guests)**
- 3.) Approval of the 83<sup>rd</sup> Integrating Committee Meeting Minutes of 11/16/01**
- 4.) Brownfield Support Staff Update – David Main**
  - a.) Action Required:  
Approval of "Draft Methodology" submitted by the Brownfield Support Staff**
- 5.) NRAC Update – Ron Miller**
- 6.) Old Business**
- 7.) New Business**
- 8.) Next Meeting – Tentatively - Friday, February 22, 2002 @ 8:00 a.m. (NGL)**
- 9.) Adjournment**

**et #2 Integrating Committee Meeting  
Green Township  
Nathanael Greene Lodge  
6394 Wesselman Road  
Cincinnati, OH 45248**

**January 18, 2002**

## BOARD ATTENDANCE LIST

<u>NAME</u>	<u>AFFILIATION</u>	<u>PHONE</u>
Tim Riordan	City of Cincinnati	352-3241
Premgarg	city of Cincinnati	352-3720
Fred Schlemmer	Green Township	574-8832
DAVE SAVABIE	HCMC (Wyoming)	821-7600
Pete Heile	City of Cincinnati Miami Twp	352-3337
Joe Dykes	H.A.T.A.	941 3393
Dick Wilder	Hamilton County	774-8400
Bill Branshan	Ham Co Engr	946-8902

84<sup>th</sup> District #2 Integrating Committee Meeting  
Green Township  
Nathanael Greene Lodge  
6394 Wesselman Road  
Cincinnati, OH 45248

January 18, 2002

VISITOR LIST

<u>NAME</u>	<u>AFFILIATION</u>	<u>PHONE</u>
<u>Pat Cattell</u>	<u>Ham Co.</u>	<u>946-8906</u>
<u>Paula McElroy Harris</u>	<u>LTBC</u>	<u>723-1028</u>
<u>Bonnie Phillips</u>	<u>City-Envir. Mgmt.</u>	<u>352-5310</u>
<u>Jim BENEDICT</u>	<u>KMK CONSULTING</u>	<u>639-3963</u>
<u>CHIP GERHARDT</u>	<u>KMK CONSULTING</u>	<u>579-6548</u>
<u>DAVID MAIN</u>	<u>HIDC</u>	<u>631-8292</u>
<u>TODD TRAMMELL</u>	<u>TUI</u>	<u>648-3896</u>
<u>DAVE WAGNER</u>		<u>563-6380</u>
<u>Evonne Korach</u>	<u>Lockland</u>	<u>761-1124</u>
<u>Ted Hubbard</u>	<u>Ham. Co. Eng's Office</u>	<u>946-8903</u>
<u>DAVE KERN</u>	<u>PUBLIC WORKS COMM</u>	<u>614 644-1823</u>
<u>Ron Ebelhar</u>	<u>H.C. Nutting Co</u>	<u>321.5816</u>
<u>TIM SHARP</u>	<u>PORT AUTHORITY</u>	<u>621-3000</u>

**ct #2 Integrating Committee Meeting  
Green Township  
Nathanael Greene Lodge  
6394 Wesselman Road  
Cincinnati, OH 45248**

**January 18, 2002**

## VISITOR LIST

[illegible]